

HOUSE BILL NO. HB0075

Voter fraud-prevention.

Sponsored by: Representative(s) Gray, Andrew, Baker, Barlow, Bear, Blackburn, Brown, Burt, Crago, Duncan, Eklund, Eyre, Fortner, Greear, Hallinan, Haroldson, Harshman, Heiner, Hunt, Jennings, Knapp, Laursen, MacGuire, Neiman, Newsome, O'Hearn, Olsen, Ottman, Paxton, Rodriguez-Williams, Romero-Martinez, Simpson, Sommers, Stith, Styvar, Washut, Western, Wharff, Wilson, Winter and Zwonitzer and Senator(s) Biteman, Boner, Bouchard, Dockstader, Driskill, Ellis, French, Hicks, Hutchings, Kinskey, Kost, Nethercott, Schuler, Steinmetz and Wasserburger

A BILL

for

1 AN ACT relating to elections; modifying the definition of
2 acceptable identification; requiring that acceptable
3 identification be presented before voting in person;
4 providing that provisional ballots may be cast as
5 specified; providing that in person voters may be
6 challenged for failure to present acceptable
7 identification; modifying department of transportation
8 notification requirements for identification cards; making
9 conforming amendments; and providing for an effective date.

1

2 *Be It Enacted by the Legislature of the State of Wyoming:*

3

4 **Section 1.** W.S. 22-1-102(a)(xxxix), 22-2-119,
5 22-3-118(a)(i) and (ii), 22-15-104(a) by creating a new
6 paragraph (vi) and 31-8-103(d) are amended to read:

7

8 **22-1-102. Definitions.**

9

10 (a) The definitions contained in this chapter apply
11 to words and phrases used in this Election Code and govern
12 the construction of those words and phrases unless they are
13 specifically modified by the context in which they appear.
14 As used in this Election Code:

15

16 (xxxix) "Acceptable identification" means:

17

18 (A) For purposes of voter registration, one
19 (1) of the identification documents or other proof of
20 identity as specified by rule of the secretary of state as
21 adequate proof of the identity of a voter;

22

1 (B) For purposes of in person voter
2 identification immediately before voting at a polling place
3 or absentee polling place, any of the following:

4
5 (I) A Wyoming driver's license as
6 defined by W.S. 31-7-102(a)(xxv);

7
8 (II) A tribal identification card that
9 meets the requirements of W.S. 22-3-103(a)(vi)(B);

10
11 (III) A Wyoming identification card
12 issued under W.S. 31-8-101;

13
14 (IV) A valid United States passport;

15
16 (V) A United States military card;

17
18 (VI) A valid Medicare insurance card.

19 This subdivision is repealed effective December 31, 2029.

20
21 **22-2-119. Qualified elector may vote; acceptable**
22 **identification requirement; provisional ballots.**

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1 Except as specifically provided otherwise, a person may
2 vote only if ~~he~~ the person is a qualified elector, ~~and~~ only
3 in the precinct in which ~~he~~ the person resides and, if
4 voting in person, only if the person presents acceptable
5 identification immediately before voting at the polling
6 place or absentee polling place. If a person is unable to
7 present acceptable identification immediately before voting
8 at the polling place or absentee polling place, the person
9 may vote by provisional ballot pursuant to W.S. 22-15-105.

10
11 **22-3-118. Proof of identity.**

12
13 (a) Unless a voter is challenged pursuant to W.S.
14 22-15-101 through 22-15-109, no identification shall be
15 required when:

16
17 (i) Voting ~~in person or~~ by ~~mail~~ absentee ballot
18 after having registered in person; or

19
20 (ii) Voting ~~in person or~~ by ~~mail~~ absentee ballot
21 after having registered by mail and having submitted a copy
22 of the person's acceptable identification, as set forth in
23 W.S. 22-1-102(a)(xxxix) (A), at the time of registration.

1

2 **22-15-104. Grounds for challenge.**

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4 (a) A person offering to vote may be challenged for
5 the following reasons:

6

7 (vi) For in person voting, failure to present
8 acceptable identification immediately before voting at the
9 polling place or absentee polling place.

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11 **31-8-103. Expiration; records; new cards.**

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13 (d) The division shall send a notification for an
14 identification card to the last known address of every
15 eligible registrant, or notify by electronic means if the
16 eligible registrant has consented to receive notices
17 electronically, within one hundred twenty (120) days prior
18 to expiration of the registrant's identification card. The
19 notification shall conspicuously advise registrants of the
20 requirement that in person voters present acceptable
21 identification immediately before voting at the polling
22 place or absentee polling place and that an identification
23 card is a form of acceptable identification. Every

1 identification card is renewable upon application and
2 payment of the required fee. As used in this section, "last
3 known address" means the address, email address or other
4 electronic contact information, as applicable according to
5 the sending method, on file with the division.

6

7 **Section 2.** This act is effective July 1, 2021.

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9

(END)